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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER TWO PRIOR PATENTS**

Docket Number (Optional)  
SCH-1540-D05

In re Application of: Heribert Schmitt-WILLICH et al.

Application No. 10/686,717

Filed: October 17, 2003

For: CASCADE POLYMER COMPLEXES, PROCESS FOR THEIR PRODUCTION AND PHARMACEUTICAL AGENTS  
CONTAINING SAID COMPLEXES

The owner\*, Schering AG of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No(s). 6,063,361 and 5,820,849 as the term of said prior patents is defined in 35 U.S.C. 154 and 173, and as the term of said prior patents is presently shortened by any terminal disclaimer. The owner hereby agrees that any so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patents, "as the term of said prior patents is presently shortened by any terminal disclaimer," in the event that said prior patents later:

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 33,103

  
Signature

11/21/2006  
Date

John A. Sopp, Reg. No. 33,103  
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703-243-6999

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